UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

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Plaintiff,

-against-

12-cv-05630 (CCC) (JAD)

GNC CORPORATION,

Defendant.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the Parties, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the above-entitled action is dismissed with prejudice and without costs or attorneys' fees for either party as against the other.

HAROLD M. HOFFMAN, ESQ.

MCGUIRE WOODS

By: /s/ Harold M. Hoffman

Attorney for Plaintiff

By: /s/ Loree Jill Shelko
Attorney for Defendant

SO ORDERED

s/Claire C. Cecchi

Claire C. Cecchi, U.S.M.J.

Date: 10/11/12